

FRATERNAL MEETINGS.

POLYNESIA ENCAMPMENT,
NO. 1, I. O. O. F.

Meets every first and third FRIDAY of the month at 7:30 p. m., in Odd Fellows' Hall, Fort street. Visiting brothers cordially invited to attend.
PAUL SMITH, C. P.
L. L. LA PIERRE, Scribe.

EXCELSIOR LODGE NO. 1,
I. O. O. F.

Meets every TUESDAY evening at 8:30, in Odd Fellows' Hall, Fort street. Visiting brothers cordially invited to attend.
R. F. LEE, N. G.
L. L. LA PIERRE, Secretary.

PACIFIC REBEKAH LODGE,
NO. 1, I. O. O. F.

Meets every second and fourth THURSDAY, at 7:30 p. m., in Odd Fellows' Hall, Fort street. Visiting Rebekahs are cordially invited to attend.
FLORENCE LEE, N. G.
JENNY JACOBSON, Sec'y.

OLIVE BRANCH REBEKAH
LODGE NO. 2, I. O. O. F.

Meets every first and third THURSDAY, at 7:30 p. m., in Odd Fellows' Hall, Fort street. Visiting Rebekahs are cordially invited to attend.
AGNES DUNN, N. G.
THORA OSS, Secretary.

OCEANIC LODGE NO. 371,
F. & A. M.

Meets on the last Monday of each month, at Masonic Temple.
Visiting brethren and members of Hawaiian and Pacific are cordially invited to attend.
C. G. BOCKUS, W. M.

LEAH CHAPTER NO. 2,
O. E. S.

Meets every third Monday at 7:30 p. m., in the Masonic Temple, corner of Alakea and Hotel streets. Visiting sisters and brethren are cordially invited to attend.
MARGARET LISHMAN, Sec'y.

LEI ALOHA CHAPTER,
NO. 3, O. E. S.

Meets at the Masonic Temple every second Saturday of each month, at 7:30 o'clock p. m. Visiting sisters and brethren are cordially invited to attend.
MARGARET HOWARD, W. M.
MARGARET LISHMAN, Sec'y.

LADIES' AUXILIARY,
A. O. H., DIVISION NO. 1.

Meets every first and third Tuesday, at 8 p. m., in C. B. U. Hall, Fort street. Visiting sisters are cordially invited to attend.
M. ALICE DOHERTY, Pres.
MARGARET K. TIMMONS, Sec'y.

HAWAIIAN TRIBE NO. 1,
I. O. R. M.

Meets every second and fourth FRIDAY of each month, in I. O. O. F. Hall, Fort street. Visiting brothers cordially invited to attend.
W. C. MCCOY, Sachem.
A. E. MURPHY, C. of R.

WILLIAM MCKINLEY
LODGE, NO. 8, K. of P.

Meets every SATURDAY evening at 7:30 o'clock, in Harmony Hall, King street. Visiting brothers cordially invited to attend.
MERLE M. JOHNSON, C. C.
E. A. JACOBSON, K. of R. & S.

HONOLULU TEMPLE NO. 1,
RATHBONE SISTERS.

Meets every 2nd and 4th Monday, at Knights of Pythias' Hall, King street. All visitors cordially invited to attend.
IWALANI K. DAYTON, M.E.C.
GRACE O'BRIEN, M. of R. & C.

HONOLULU LODGE 616,
B. P. O. E.

Honolulu Lodge No. 616, B. P. O. E., will meet in their hall, on Miller and Beretania streets, every Friday evening. By order of the E. R.
HARRY H. SIMPSON, Secy.
HARRY E. MURRAY, E. R.

COURT CAMOES,
NO. 8110, A. O. F.

Meets every 2nd and 4th Tuesday of each month at 7:30 p. m., in San Antonio Hall, Vineyard street. Visiting brothers cordially invited to attend.
A. K. VIERRA, C.R.
M. C. PACHECO, F.S.

HONOLULU HARBOR NO. 54,
A. A. OF M. & P.

Meets on first and third Sunday evenings of each month, at 7 o'clock, at K. of P. Hall. All sojourning brethren are cordially invited to attend.
By order Worthy Captain,
F. MOSHER,
FRANK POOR, C.C.

HONOLULU AERIE 140,
F. O. E.

Meets on 2nd and 4th Wednesday evenings of each month at 7:30 o'clock in K. of P. Hall, King street. Visiting Eagles are invited to attend.
SAML McKEAGUE, W.P.
H. T. MOORE, Secty.

THEODORE ROOSEVELT,
Camp No. 1, U. S. W. V.

Department Hawaii.
Meets every 1st and 3rd Wednesday, Suites 15 and 16 Progress Block, Fort and Beretania streets, at 7:30 p. m. Visiting comrades cordially invited to attend.
H. T. MOORE, Comdr.
F. H. LONG, Adjutant.

MANUFACTURERS' SHOE Co., Ltd.

Special attention
Meets every first and third Wednesday, at 8 p. m., in C. B. U. Hall, Fort street. Visiting brothers cordially invited to attend.

THE GAMBLING CASE.

Nicholas and Laeae, appellants for gambling under \$500 fines, were again unrepresented by counsel yesterday morning, and their trial was set for Monday. County Attorney Douthitt said he did not wish to take advantage of their lack of counsel. Judge De

THE NOTLEY
WILL HOLDSSecond Decision With
Justice Hartwell
Dissenting.

Chief Justice Frear joins with Justice Wilder, writer of the opinion, in a second decision against the contestants of the will of the late Charles Notley. Justice Hartwell writes a dissenting opinion. The former decision was on a bill of exceptions. This one is on a writ of error. S. M. Ballou (Ballou & Marx on the brief) for plaintiffs in error, being the contestants; W. L. Stanley (Holmes & Stanley on the brief) for defendants in error, being the proponents.

The ground of the majority decision thus stated in the syllabus:
"A writ of error bringing up questions already decided by this court on exceptions in the same case will on motion be dismissed. Only proceedings subsequent to and not in conformity with the decision on the exceptions may be reviewed afterward on error."

It is considered unnecessary by the majority to decide whether, under the statutory provision that writs of error may only be had within six months from rendition of judgment, "rendition" should be construed to mean "entry." In a former decision on another case the court recognized a distinction between the words, in stating that "judgment was rendered at the close of the trial and was entered some days thereafter." Yet the words "rendition" and "entry" had often been used interchangeably in decisions. It seems to be a point created by sloppy legislation.

"Counsel for plaintiffs in error," the decision says, "seem to think that, unless this court entertains jurisdiction and affirms the judgment of the lower court, the questions decided by this court on the bill of exceptions can not be reviewed by the Supreme Court of the United States. That this is no concern of the Supreme Court of Hawaii is declared in the syllabus thus: 'This court decides questions as if its judgment was to be final and conclusive, and it should neither accelerate nor retard appeals from its decisions.'"

Justice Hartwell disagrees with his brethren by holding that the questions raised on this writ of error, which was to the Fourth Circuit Court (Hilo), were not decided by the Supreme Court when it recently overruled the bill of exceptions brought by contestant. He does not believe that a circuit court can affirm a decree of a circuit judge at chambers. "Power to affirm," he says, "implies power to reverse." What he contends against appears to have been done by the Fourth Circuit Court when it affirmed the decree of the late Judge Little, admitting the will to probate, which it did while ordering judgment entered according to the verdict of a jury that tried the case on appeal.

It is thought by Justice Hartwell that the motion to quash the writ of error could not be granted on either of the grounds named, and he says the majority considered these grounds in the inverse order of their statement in the motion. In the course of his opinion the dissenting justice says:
"The right of appeal from a decree of a circuit judge at chambers to the circuit court is not expressly granted, although clearly recognized by statute. This is a result, it must be conceded, of defective legislation."

THE BAKER FAMILY
IN TWO NEW SUITS

There are four criminal appeal cases, twelve jury civil cases and four jury-waived cases on the calendar of the Third Circuit Court, Judge John Albert Mathewman, for the April term opening on the 25th inst. The grand jury will probably furnish some criminal cases.

Among the civil cases for jury trial is the famous one of trespass, Esther K. Baker vs. A. M. Brown and others. A verdict in favor of the husband of plaintiff, under the same cause of action, is pending for review in the Supreme Court.

Another suit relating to the same matter is on the present calendar, being that of Territory of Hawaii by C. S. Holloway, Superintendent of Public Works, vs. Esther K. Baker et al., condemnation proceedings.

The trespass in question consisted in the forcible ejection of the Baker family from premises claimed to belong to the Board of Education. A. M. Brown is defendant as having been High Sheriff at the time, other defendants being A. T. Atkinson, Superintendent of Public Instruction, Sheriff L. A. Andrews and a police officer, all in office at the time mentioned.

ANCIENT
ORDER HIBERNIANS,
DIVISION NO. 1.

Meets every first and third Wednesday, at 8 p. m., in C. B. U. Hall, Fort street. Visiting brothers cordially invited to attend.

MRS. CARTER'S CASE.

Edgar Henriques, guardian of the minor children of the late Margaret V. Carter, has brought a new suit for the removal of Mrs. Jessie K. Kane as executrix of decedent's estate. The grounds are similar to those of his former suit which failed, such as retention of personal property, allowing taxes to become delinquent, waste of property, etc.

BIG DAMAGE
SUIT FILEDMrs. Heleluhe Claims
\$10,175 From Rapid
Transit Co.

Wakeki Heleluhe, widow of the private secretary of Queen Liliuokalani during the latter's reign, has brought a suit for \$10,175 damages against Honolulu Rapid Transit & Land Co., Ltd., on account of personal and property injuries sustained by her through the smashing of her buggy by an electric car, and the running away of the horse attached thereto, on King street near Kamehameha Schools, between 11 and 12 o'clock in the forenoon of January 25. A lady friend, Mrs. Kahakua Keolohapaula, was driving with plaintiff at the time.

CAMPBELL ESTATE
ACCOUNTS FILED

Mrs. A. K. Campbell-Parker, Cecil Brown and J. O. Carter, trustees of the estate of James Campbell, deceased, have filed their first annual account with a petition for examination and allowance. The account is for the year beginning April 1, 1905, and ending March 31, 1906. In their petition the trustees say:

"The accounts show a cash balance on hand of \$448,750.94, which includes the sum of \$389,713.58 received from the executors and executrix of the will upon their discharge from such officers and the approval of their accounts. Although the accounts show a cash balance of \$448,750.94, the facts are that the actual cash balance is much less, owing to the fact that the widow and those of the beneficiaries who have arrived at legal age have been paid considerable sums on account of what will be coming to them under the terms of the will, and the receipts of all so paid on account have been carried as cash. This method has been pursued for several reasons, among which is that a suit for construction of the will is now pending in this court, and until such construction has been made there are certain large items of expenditure that have been made and incurred in the administration of the estate, which, if chargeable against income, decrease the income of the beneficiaries, and if chargeable against the principal increase such income. The allowances or sums so paid on account to the different persons entitled to receive income have been made upon the supposition that all charges and disbursements should be charged to and deducted from income only, and the payments so made on account have been less than would come to such parties if all questions of construction had been settled and decided."

"Amongst the items in the account is the investment of the sum of \$75,500 principal; the trustees have made no charge for commission on this investment, but submit the question if any commissions are payable on account of the paying out of that amount of money. If commissions are legally chargeable against this sum, then a further sum of \$1912.50 should be charged as a further expense of administering the estate."

The account shows receipts of \$570,998.26 and payments of \$122,247.32, leaving the balance above stated and explained. Bents make \$2,389.88, interest makes \$41,594.82 and principal collected is \$57,300. The remainder of receipts is the \$389,713.58 from the executors. Commissions charged by trustees amount to \$11,175.33.

The accounts have been referred by Judge Robinson to M. T. Simonton for a master's report thereon.

FRIEL MINOR'S ESTATE.

M. T. Simonton has filed a master's report on the fourth annual account of F. W. Macfarlane, trustee of Georgiana Friel, a minor, under the will of Adelia Cornwell, deceased, for a period of one year and ten days ending Jan. 10, 1906. The trustee charged himself with \$2923.66, of which \$1761.83 is income, and asked to be allowed \$959.03, which left a debit balance of \$305.37. This, a report by the master on a supplemental account up to March 6 last shows, has been practically liquidated. Receipts in supplemental account were \$2170 and payments \$1876.02, leaving a credit balance of \$293.98. The master recommends approval of the accounts.

LAND PLOT APPROVED.

Judge P. L. Weaver of the Court of Land Registration has made an order approving the subdivision of land made by J. F. Brown, surveyor, for James F. Morgan, being land described in original certificate No. 24 to P. C. Jones and transfer certificate No. 64 to James F. Morgan. Under this order the present owner, Morgan, is authorized to take out several certificates upon application for the several distinct parcels of land, the clerk and the assistant registrar being directed to cause a certified copy of the plan to be filed in the registration book, with the original certificate.

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MURDER TRIAL
IS INTERRUPTED

Upon a certificate by Dr. C. B. Wood, that E. O. White, a juror, was severely ill of the grip, Judge Robinson yesterday morning continued the Johnstone murder trial until Monday morning. Mr. White was in a delirious state on Thursday night.

HOUSEHOLD CARES

Hard to attend to household duties. With a constantly aching back. A woman should not have a bad back. And she wouldn't if the kidneys were well. Doan's Backache Kidney Pills make well kidneys. Here is a Honolulu woman who endorses this claim:
Mrs. Emma Vieira, of King street, this city, says: "For three or four years I had the misfortune to be afflicted with an aching back. The pain and discomfort this entailed on me can be better imagined than described. I have two children, and it was of course difficult for me to attend to them while oppressed with suffering. The way in which I found relief eventually was by using Doan's Backache Kidney Pills, procured at the Hollister Drug Co.'s store. They did me a large amount of good, as I now testify. I should certainly recommend those who have backache or any other form of kidney trouble to try Doan's Backache Kidney Pills."
Doan's Backache Kidney Pills are for sale by all dealers. Price 50 cents per box (six boxes \$2.50). Mailed on receipt of price by the Hollister Drug Co., Ltd., Honolulu, wholesale agents for the Hawaiian Islands. Remember the name Doan's, and take no other.

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MORGAN

THIS DAY
Auction Sale

Saturday, April 14, 1906,
AT 10 O'CLOCK A. M.,
The remainder of the

Stock, Fixtures, Etc.,

— AT —
M. G. GRINBAUM & COMPANY'S.

JAS. F. MORGAN,
AUCTIONEER.

THIS DAY

Saturday, April 14, 1906,
AT 12 O'CLOCK NOON.

Gilt Edge Investment!

GUARDIAN SALE 1-27TH INTER-EST

Holt Estate
Waialua

BETTER THAN A 6 PER CENT. BOND. It will pay 5 1-2 per cent. net on \$6000 for 24 years, the unexpired term of lease, to the Waialua Plantation.
At auction with an upset price of \$6000.

JAS. F. MORGAN,
AUCTIONEER.THIS DAY
Auction Sale

Saturday, April 14, 1906,
AT 12 O'CLOCK NOON.

The Pioneer Plantation
Co., Maui,

ROYAL PATENT 9065.
Consisting of—
Ap. 1-5 12-100 acres.
" 2-1 4-100 acre.
" 3-71-100 acre.
" 4-76-100 acre.
" 5-32-100 acre.
" 6-80-100 acre.
" 7-71-100 acre.
" 8-2 37-100 acres.
" 9-55-100 acre.
" 10-6 8-100 acres.
" 11-43-100 acre.

Reserving from ap. 2 half acre former family burial place.
Full particulars
JAS. F. MORGAN,
AUCTIONEER.

WHO ARE MY NEIGHBORS

HEALTHIEST
Locality in Honolulu

Judd.
Hartwell.
Liliha Street.

FOR SALE
AT AUCTION
—AT MY—
SALESROOM
APRIL 11, 1906
NOON

The said property is posted on TUESDAY, APRIL 11, 1906, at 12 noon, at my salesroom, at my office.

JAS. F. MORGAN,
AUCTIONEER.Castle & Cooke, Ltd.
HONOLULU.COMMISSION MERCHANTS
SUGAR FACTORS

—AGENTS FOR—
The Ewa Plantation Co.
The Waialua Agricultural Co., Ltd.
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The Waimea Sugar Mill Co.
The Fulton Iron Works, St. Louis.
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Store Fittings a Specialty.
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